

**GLASTONBURY CONSERVATION COMMISSION  
(INLAND WETLANDS & WATERCOURSES AGENCY)  
REGULAR MEETING MINUTES OF THURSDAY, SEPTEMBER 14, 2017**

The Glastonbury Conservation Commission (Inland Wetlands & Watercourses Agency), along with Mr. Tom Mocko, Environmental Planner, in attendance held a Regular Meeting in Council Chambers, second floor of Town Hall located at 2155 Main Street, Glastonbury, Connecticut.

**ROLL CALL**

**Board Members - Present**

Mrs. Judy Harper, Chairman  
Mrs. Kim McClain, Secretary  
Mr. Brian Davis  
Mr. Frank Kaputa  
Mrs. Helen Stern  
Mr. Mark Temple

**Board Members - Excused**

Mr. Dennis McInerney, Vice Chairman

Chairman Harper called the meeting to order at 7:30 P.M. and welcomed Brian Davis to the Commission.

**I. FORMAL ACTIONS & RECOMMENDATIONS**

**Application of Horse Shoe Lane Associates, LLC (Robert Urso, Member) for: an inland wetlands and watercourses permit; transmittal of a statement on the environmental impact of the project; and recommendation to the Town Plan & Zoning Commission and Town Council concerning the project's Final Development Plan – proposed Glastonbury Glen Planned Area Development – 18 detached, single family residential structures and its related infrastructure to be constructed on 5.8 acres of the total 15.5-acre project site – Rural Residence Zone and Groundwater Protection Zone 1 – east of Orchard Street with access between #96 and #104, south of Hebron Avenue and north of Chase Hollow Lane – GEI Environmental Consultants, Design Professionals, C.E., Planner, L.S. & Landscape Architects – Attorneys Peter Alter & Meghan Hope – Catholic Cemeteries Association of Archdiocese of Hartford, Inc., landowner**

Attorney Peter Alter, representing the applicant, appeared before the Commission with an update on the application that was presented for the Commission's informal discussion on June 29, 2017. He gave an overview of the proposal and explained that, following Commissioner Temple's request at the last meeting, a portion of the proposed road and four proposed houses have been shifted 20-30 feet to the south to be located further away from wetlands. He also confirmed that the 9.5 acres of proposed conservation easement areas will be maintained by the homeowners' association.

John Gondek, Ecotoxicologist, GEI Consultants, reviewed the site's existing conditions and the proposed mitigation to minimize the impact from grading, clearing and erosion within the upland review area. He confirmed that measures will be taken to protect the endangered species and species of special concern that occur in the area of the subject site.

Ben Wheeler, Landscape Architect, Design Professionals, reviewed the proposed stormwater management plan and details of the comprehensive soil erosion and sedimentation control plan which includes inspection and maintenance guidelines for the proposed diversion swales. He confirmed that notes regarding snow management/storage operations have been added to the plans. Mr. Wheeler then reviewed the proposed landscape plan which includes a meadow seed mix and a woodland seed mix to be used on the clear-cut woodlands within the proposed conservation easement area in the northeast portion of site; this area is proposed to become a permanent wildflower meadow (with yearly maintenance) where the meadow mix is proposed, and revert back to a natural woodlands. Regarding the Community Beautification Committee's suggestion to plant evergreen and deciduous saplings in this area, Mr. Wheeler commented that he respectfully disagrees and believes that the plan as proposed is an ecologically superior plan. He did note, however, that the street trees on the landscape plan have been updated to include more diverse species. Mr. Wheeler concluded his presentation with a review of the proposed signage which he confirmed will be dark sky compliant through downlighting.

Commissioner Kaputa asked for further information on the proposed woodland seed mix and Mr. Wheeler explained that it has shade tolerant species that will keep out invasives as well as allow natural forest succession to occur. Commissioner Kaputa then asked about the access to the northeast conservation easement area for annual mowing maintenance, and Mr. Wheeler pointed out the access on the posted map and confirmed that he will clearly identify it on the plans.

Secretary McClain inquired about the project's sustainable design elements and wondered if solar energy is possible for the homes. Attorney Alter responded that the plan does include energy saving components but noted that exterior house elements are controlled by the homeowners' association so he isn't sure that solar will be considered. Secretary McClain replied that she is disappointed that a detailed list of LEED project components was not included as part of the application, and she believes that the homeowners should be offered options such as solar prior to construction of their homes.

**Motion By:** Secretary McClain                      **Seconded:** Commissioner Stern  
MOVED, that the Inland Wetlands and Watercourses Agency issues an inland wetlands and watercourses permit to Horse Shoe Lane Associates, LLC for various construction activities (land regrading, drainage structures, driveway and eight houses) within the wetlands' upland review area at the proposed Glastonbury Glen Planned Area Development for eighteen houses to be accessed by a private road leading east from Orchard Street, all in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Comments numbered 2 through 8, inclusive, as stated within the Assistant Town Engineer's memorandum dated September 8, 2017, shall become additional conditions of approval.

Such requirements shall be satisfied prior to taking any action on this Planned Area Development's Final Development Plan, and the applicable additions and revisions to the plans shall appear on the recorded plans to the satisfaction of the Assistant Town Engineer.

2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 foot intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.
3. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
  - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
  - b. Pesticides and herbicides shall only be applied by homeowners utilizing best management practices for integrated pest management; and
  - c. The developer agrees to recite these conditions in the deeds to the individual residential properties.
4. A homeowners' association or similar entity shall be created to properly manage and/or maintain the private infrastructure and the protected land encumbered with a conservation easement.
5. Any public offering statement for this project to be formed in connection with the proposed development shall include a statement that the association is responsible for the implementation of the stormwater management plan and maintenance of stormwater treatment facilities.

6. The following agricultural caveat shall be placed on the filed: site plans; and within ownership and common interest documents to the satisfaction of the Office of Community Development staff:

### **Agricultural Caveat**

**Please Note:** Agricultural activities occur on properties abutting this residential development site. Potential owners should be aware that these activities include use of heavy farming equipment/machines at early morning hours and weekends and application of pesticides, fertilizer and manure.

7. The established mitigation measures for protecting the State-listed Eastern Box Turtle, as identified within the project's Environmental Impact Statement Report, shall be implemented as directed and monitored by a qualified person hired by the Permittee.
8. Site construction activities on units 10 and 11 shall be coordinated in consultation with the Environmental Planner to avoid critical wood frog breeding time periods with respect to the vernal pool that exists some fifty feet east of said units.
9. Healthy mature trees shall be preserved and saved when possible. Said trees shall be protected with the use of high visibility construction fence during construction or otherwise protected as required by staff.
10. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Once installed these measures shall then be inspected by the Environmental Planner prior to land disturbance activities. Afterwards it then shall be the Permittee's responsibility to inspect these control measures during, and immediately following, substantial storm events and maintain and/or replace the control measures, when needed, on a regular basis until the site is vegetatively stabilized. Hay bales shall be replaced every 60 days. The Environmental Planner is hereby authorized to require additional soil erosion and sediment controls and stabilization measures to address situations that arise on the site.
11. Tree stumps and blasted rock material shall not be buried at the site.
12. Except for the construction activities of the stormwater quality basin and storm drainage system, earthen material shall not be stockpiled in regulated areas. Stockpiles shall be mulched, temporarily seeded or otherwise protected.
13. A qualified person shall be kept on retainer by the applicant to supervise the construction and habitat restoration of the stormwater quality basin; and the implementation of a replanting plan within the conservation easement areas. Such person shall certify that performance has met all designed aspects upon completion.

14. Plot plans developed for building permits shall not exceed encroachment into the regulated areas beyond that indicated on the previously cited plans.
15. The plot plan required for building permit application shall contain and comply with these conditions of approval. If construction including limits of clearing is proposed in areas other than the indicated locations on these plans, the Office of Community Development shall be notified and the Office of Community Development and the Chairman of the Town Plan and Zoning Commission are hereby authorized to approve or deny the alternative. Each plot plan shall indicate the limits of vegetative clearing, existing and proposed contours, soil erosion and sediment controls, all subsurface drainage, all stockpile areas, and temporary and permanent vegetative stabilization measures, including details of seedbed preparation, seed mix selection, application rates, seeding dates and mulching requirements. Vegetative clearing for stockpiling shall be minimized and subject to the approval of the Environmental Planner.
16. Dry wells shall be designed and installed to facilitate the roof runoff in order to attenuate increased flows to downgradient receiving water and provide recharge to the groundwater. Such dry well design shall appear on the site plan submitted for a building permit. An as-built statement from the contractor that constructed the dry wells shall be required for obtaining a certificate of occupancy.
17. Metal waste containers shall be provided at the site to facilitate the collection of refuse material generated from construction activities. Such material shall not be buried or burned at the site.
18. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
19. Prior to the issuance of a Certificate of Occupancy, certification from a professional engineer shall be required confirming that the stormwater management system was constructed in conformance with the approved design.
20. Prior to the issuance of a Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.
21. A detailed maintenance plan shall be submitted to the Environmental Planner to identify the appropriate ongoing maintenance of the project's private: stormwater drainage and treatment system components; and the meadow area to be created within the conservation easement area. This comprehensive maintenance plan is required to guide the project's homeowners' association in fulfilling all of their maintenance obligations.

**Result:** Motion passes unanimously. (6-0-0)

**Motion By:** Secretary McClain

**Seconded:** Commissioner Stern

MOVED, that the Conservation Commission recommends to the Town Council and Town Plan & Zoning Commission approval of the Final Development Plan for the proposed Glastonbury Glen Planned Area Development 18-house residential project located east of Orchard Street, in accordance with plans on file in the Office of Community Development, and in compliance with the following conditions:

1. Comments numbered 2 through 8, inclusive, as stated within the Assistant Town Engineer's memorandum dated September 8, 2017, shall become additional conditions of approval. Such requirements shall be satisfied prior to taking any action on this Planned Area Development's Final Development Plan, and the applicable additions and revisions to the plans shall appear on the recorded plans to the satisfaction of the Assistant Town Engineer.
2. A private conservation easement shall be established as generally depicted on the site plans and this area shall henceforth not be disturbed from its present condition until the conservation easement is in force. The precise delineation shall be recorded by bearings and distances. The easement shall be recorded on the land records. The conservation easement shall be marked with oak stakes labeled "Conservation Easement" with waterproof ink and tied with red flags. These stakes are to be located at each change of boundary direction and at every 100 foot interval on straightaways. All conservation easement corners shall be permanently marked with iron pins. In addition, numbered "Glastonbury Conservation Easement" signs, available from the Town's Office of Community Development, shall be nailed to trees that are within two feet of the easement area's boundary line, at approximately 100 foot intervals. The sign shall be installed facing outwards at about 7 feet above grade, using two 3 inch or greater aluminum or galvanized nails, with the nails left protruding from tree trunks about 1-1/2". Where no trees are suitable 7 foot metal or long-lived wood posts with easement signs attached shall be used. Such placement of signs shall be performed under the supervision of a Licensed Land Surveyor prior to land-clearing or earth-moving activities and notice shall be provided to the Town's Office of Community Development upon its completion.
3. In order to protect the physical, chemical and biological characteristics of the wetlands and watercourses and water quality, the following conditions shall apply:
  - a. Pesticides and herbicides shall not be disposed of within the designated conservation easement areas;
  - b. Pesticides and herbicides shall only be applied by homeowners utilizing best management practices for integrated pest management; and
  - c. The developer agrees to recite these conditions in the deeds to the individual residential properties.

4. A homeowners' association or similar entity shall be created to properly manage and/or maintain the private infrastructure and the protected land encumbered with a conservation easement.
5. Any public offering statement for this project to be formed in connection with the proposed development shall include a statement that the association is responsible for the implementation of the stormwater management plan and maintenance of stormwater treatment facilities.
6. The following agricultural caveat shall be placed on the filed: site plans; and within ownership and common interest documents to the satisfaction of the Office of Community Development staff:

### **Agricultural Caveat**

**Please Note:** Agricultural activities occur on properties abutting this residential development site. Potential owners should be aware that these activities include use of heavy farming equipment/machines at early morning hours and weekends and application of pesticides, fertilizer and manure.

7. The established mitigation measures for protecting the State-listed Eastern Box Turtle, as identified within the project's Environmental Impact Statement Report, shall be implemented as directed and monitored by a qualified person hired by the Permittee.
8. Healthy mature trees shall be preserved and saved when possible. Said trees shall be protected with the use of high visibility construction fence during construction or otherwise protected as required by staff.
9. Installation of soil erosion and sedimentation control and stabilization measures shall be the Permittee's responsibility. Once installed these measures shall then be inspected by the Environmental Planner prior to land disturbance activities. Afterwards it then shall be the Permittee's responsibility to inspect these control measures during, and immediately following, substantial storm events and maintain and/or replace the control measures, when needed, on a regular basis until the site is vegetatively stabilized. Hay bales shall be replaced every 60 days. The Environmental Planner is hereby authorized to require additional soil erosion and sediment controls and stabilization measures to address situations that arise on the site.
10. Tree stumps and blasted rock material shall not be buried at the site.
11. A qualified person shall be kept on retainer by the applicant to supervise the construction and habitat restoration of the stormwater quality basin; and the implementation of a replanting plan within the conservation easement areas. Such person shall certify that performance has met all designed aspects upon completion.

12. The plot plan required for building permit application shall contain and comply with these conditions of approval. If construction including limits of clearing is proposed in areas other than the indicated locations on these plans, the Office of Community Development shall be notified and the Office of Community Development and the Chairman of the Town Plan and Zoning Commission are hereby authorized to approve or deny the alternative. Each plot plan shall indicate the limits of vegetative clearing, existing and proposed contours, soil erosion and sediment controls, all subsurface drainage, all stockpile areas, and temporary and permanent vegetative stabilization measures, including details of seedbed preparation, seed mix selection, application rates, seeding dates and mulching requirements. Vegetative clearing for stockpiling shall be minimized and subject to the approval of the Environmental Planner.
13. Dry wells shall be designed and installed to facilitate the roof runoff in order to attenuate increased flows to downgradient receiving water and provide recharge to the groundwater. Such dry well design shall appear on the site plan submitted for a building permit. An as-built statement from the contractor that constructed the dry wells shall be required for obtaining a certificate of occupancy.
14. Metal waste containers shall be provided at the site to facilitate the collection of refuse material generated from construction activities. Such material shall not be buried or burned at the site.
15. Underground fuel storage tanks shall be prohibited to reduce the potential of contamination to wetlands, watercourses, and groundwater resources.
16. Prior to the issuance of a Certificate of Occupancy, certification from a professional engineer shall be required confirming that the stormwater management system was constructed in conformance with the approved design.
17. Prior to the issuance of a Certificate of Occupancy, certification from a landscape architect shall be required confirming that landscape plants were installed in accordance with the approved landscape plan.
18. A detailed maintenance plan shall be submitted to the Environmental Planner to identify the appropriate ongoing maintenance of the project's private: stormwater drainage and treatment system components; and the meadow area to be created within the conservation easement area. This comprehensive maintenance plan is required to guide the project's homeowners' association in fulfilling all of their maintenance obligations.

**Result:** Motion passes unanimously. (6-0-0)

**Motion By:** Secretary McClain                      **Seconded:** Commissioner Kaputa  
MOVED, that the Conservation Commission transmits to the Town Council and the Town Plan & Zoning Commission an environmental impact statement for the proposed 18-unit residential



Glastonbury Glen Planned Area Development accessed from Orchard Street as contained within the submitted two documents titled; *Draft Environmental Impact Statement Report, Glastonbury Glen* prepared by GEI Consultants, Inc., P.C., dated July 2017; and *Draft Environmental Impact Report, Glastonbury Glen*, prepared by Design Professionals, Inc., dated May 31, 2017 and July 12, 2017.

**Result:** Motion passes unanimously. (6-0-0)

## II. INFORMAL DISCUSSION

**Redevelopment of a 0.6-acre residential property at 49 Sycamore Street into a two-level Dental Office building (with a 4,448 square foot footprint), along with its 25-space parking lot and related infrastructure – Town Center Zone – Megson, Heagle & Friend, C.E. & L.S., LLC – CR3, LLP, Landscape Architecture – 49 Sycamore LLC, landowner – John DiStefano, DMD, applicant**

Mark Friend, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC, representing the applicant, appeared before the Commission to present the proposal to construct a ~5,600 square foot dental office facility and a 25-space parking lot; the development would be served by available public utilities. Mr. Friend described the site's topography and soils and noted that wetlands exist east of the site, and the larger proposed rain garden and a portion of the proposed building are within the upland review area. He stated that the project would result in a total of 57% imperviousness on the site. Mr. Friend reviewed the proposed stormwater drainage plan which utilizes low impact techniques such as two rain gardens for water quality treatment. He noted that the project's landscape plan is currently under development and will include saving three existing specimen trees located along the southerly property line. Mr. Friend confirmed that the proposed six 10-foot high light poles will have LED fixtures with full cutoffs and will be dark sky compliant. He then reviewed the project's sustainable design elements and compliance with the Town Plan of Conservation and Development.

Marco Tommasini, Project Architect, presented renderings of the proposed building's interior and exterior elevations. He noted that low VOC-emitting materials, LED lighting and daylighting will be used for the building interior, as well as energy saving measures such as occupancy sensors, high-efficient HVAC units, programmable thermostats, and low-flow water fixtures.

Secretary McClain thanked Mr. Friend and Mr. Tommasini for reviewing the project's sustainable design elements. She then suggested that the landscape plan include an area to be planted with pollinator-friendly plants, and wondered if one parking space could be eliminated (since only 24 are required) and the space could be used for another purpose such as a picnic table area for employees. Secretary McClain also asked the applicant to add more shade to the parking lot as possible.

Commissioner Temple inquired about the proposed building's basement floor elevation. Mr. Tommasini replied that it is 48.5 feet and stated that he worked with Mr. Mocko on the plan to ensure that the basement will remain dry.

Commissioner Davis suggested that the applicant add a walkway for pedestrian access through the proposed parking lot's rain garden area and Mr. Friend agreed that would be a good idea. He also stated his strong opinion (and his supporting reasons) that the building should be sited in front of its parking.

### **III. APPROVAL OF MINUTES - Regular Meeting of July 13, 2017**

The minutes of the regular meeting of July 13, 2017 were accepted as presented.

### **IV. COMMENTS BY CITIZENS ON NON-AGENDA ITEMS –NONE**

### **V. OTHER BUSINESS**

#### **1. Chairman's Report**

Chairman Harper shared information on the Connecticut Conference of Municipalities 2017 Convention taking place in November.

#### **2. Environmental Planner Report**

Mr. Mocko presented his memorandum dated September 14, 2017 regarding an update on the Wetlands Agent's approvals for minor activities within buffer. He also provided an update on the Plan of Conservation and Development process.

With no other business to discuss, Chairman Harper adjourned the meeting at 9:36 P.M.

Respectfully Submitted,  
*Amy M. Pallotti*  
Amy M. Pallotti  
Recording Secretary  
Recording Clerk